

FILED

APR 14 2020

AO 91 (Rev. 11/11) Criminal Complaint

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DM
DEPUTY CLERK

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

Gabriel Antonio BARRON

Case No.

EP-20-mj-2206 LS

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 9, 2020 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 21 U.S.C. § 952 (a)

Unlawfully imported into the customs territory of the United States from any place outside thereof (i.e. the Republic of Mexico), approximately 2.34 kilograms (gross weight) of Cocaine, a Schedule II controlled substance.

This criminal complaint is based on these facts:

See Attached Affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Sergio A. Lopez, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/14/2020

Judge's signature

City and state: El Paso, Texas

Leon Schydlower, U.S. Magistrate Judge

Printed name and title

Oath Telephonically Sworn

At 1:27 PM

Fed.R.Crim.P. 4.1(b)(2)(A)

BARRON, Gabriel

On April 9, 2020, at approximately 1036 hours, Gabriel BARRON applied for entry into the United States (U.S.) from Ciudad Juarez, Mexico, via the Paso Del Norte (PDN) Port of Entry (POE) in El Paso, TX. PDN is located within the Western District of Texas. BARRON was the driver and sole occupant of a white Nissan Juke bearing Texas License Plate LFT 8448. Customs and Border Protection Officer (CBPO) Louis Stockley was conducting primary inspections, at vehicle primary lane two (2), when he encountered BARRON. CBPO Stockley obtained a binding negative declaration from BARRON.

- BARRON stated he was visiting family in Juarez and returning home to El Paso, TX.
- BARRON stated he had been cleaning his yard and had put trash in his trunk.

Canine Enforcement Officer (CEO) Ricardo Molina was conducting pre-primary enforcement operations when his assigned Narcotic and Human Detector Dog (NHDD) "Daisy" (#170619) alerted to the area under the rear of the Nissan Juke. CEO Molina informed CBPO Stockley, who then referred the Nissan Juke to secondary inspection. CBPO Jaime Cisneros was assigned to secondary inspection when he encountered BARRON. CBPO Cisneros obtained a binding negative declaration from BARRON.

- BARRON stated he was not transporting anything from Mexico and was traveling to El Paso, to work. BARRON stated he was responsible for all items inside the vehicle.
- BARRON stated he was the vehicle owner, there had not been any recent repairs and he had not stopped anywhere between his home in Juarez and the POE.

A search of the Nissan Juke resulted in the discovery of a single bundle hidden in the undercarriage of the Juke, inside the charcoal cannister. The bundles were tested using Reagent Test Kit 904, which resulted positive for the characteristics of Cocaine. The gross total weight of the bundle was 2.34 kg.

Homeland Security Investigations (HSI) Special Agents (SA) Sergio A. Lopez and Armando Coello responded to investigate. SA Lopez then read BARRON his Miranda warnings utilizing ICE Form 73-025, Miranda warnings, in the Spanish language. BARRON reviewed the form and advised he understood his rights then agreed to make a statement without an attorney present. The below is a summary of the interview. It is not intended to be a verbatim account and does not memorialize all statements made during the interview.

- BARRON stated he had been hired by a person in Juarez to smuggle what he believed to be a package containing a controlled substance into the U.S. BARRON was to deliver the package to a person in El Paso.
- BARRON stated he had smuggled similar packages into the U.S. on previous occasions. BARRON stated he had been paid approximately \$1,000 USD on each occasion. BARRON stated he was to be paid the same amount for smuggling the package which was found in his vehicle.

The United States Attorney's Office for the Western District of Texas was contacted, prosecution was accepted for violations of 21 USC 952 (Importation of Controlled Substances) and BARRON was transported to the El Paso County Detention Facility (EPCDF).

Because this affidavit is being submitted for the limited purpose of establishing probable cause, as set forth herein, I have not included every fact known to me concerning this investigation.